

**REMARKS**

Claims 1-6 are pending in this application. Claim 1 is the only independent claim. By this amendment, claim 1 is amended for clarity. In addition, the specification is amended and Fig. 3 is amended.

Reconsideration in view of the above amendments and following remarks is respectfully solicited.

Drawing Corrections

Applicant respectfully points out that in amended Figure 3, the "H" and "G" lines outputted from element 40 are switched so as to correspond with the specification. Specifically, Fig. 3 is amended to correctly show voltage H going to the tuner 1 and to show voltage G going to the IFAGC circuit 25. (see page 8, lines 15-17 of the present specification).

As such, Applicant respectfully requests that the corrected drawing be approved and made a part of the record of the above-identified application.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner's indication of allowable subject matter in dependent claims 2, 3, 5 and 6 over the art of record.

The Office Action also indicates that claims 2, 3, 5 and 6 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However,

applicant respectfully submits that all of claims 1-6 are allowable, for at least the reasons set forth below.

The Claims Define Patentable Subject Matter

The Office Action makes the following rejections:

(1) claim 1 is rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,714,776 to Birleson (hereafter Birleson); and

(2) claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Birleson in view of U.S. Patent No. 6,433,639 to Numanami et al. (hereafter Numanami).

These rejections are respectfully traversed.

Applicant respectfully submits that Birleson, either alone or in combination with Numanami, fails to teach or suggest each and every feature as set forth in the claimed invention.

It appears that the Examiner is attempting to associate the components in Birleson's Fig. 1 with the claimed invention. Specifically, the Examiner alleges, *inter alia*, that Birleson discloses a low-pass filter as element 130.

In particular, Birleson discloses, "the output of the video detector 122 is a baseband video signal combined with several high frequency mixing artifacts. These artifacts are removed by a video baseband filter 130." (see Birleson, col. 5, lines 53-56).

In other words, it appears that because Birleson's baseband filter 130 removes the high frequency mixing artifacts, the

examiner is associating Birleson's filter 130 with the claimed low-pass filter.

In addition, the examiner alleges that Birleson's video buffer 136 corresponds with the claimed output circuit connected to an output of the low-pass filter. In other words, the examiner is very broadly reading our claimed output circuit as anything connected to the output of the low-pass filter.

However, in the claimed invention the output circuit is connected to an output of the low-pass filter for outputting balanced signals. Birleson fails to teach or suggest an output circuit for outputting balanced signals.

For example, Birleson merely discloses that its video buffer 136 (output circuit) is configured to drive fairly high circuit board impedances of approximately 1000 to 2000 ohms. (see Birleson, col. 5, lines 61-63). Birleson is completely silent about an output circuit for outputting balanced signals.

According to MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989). The elements must be arranged as required by the claims, but this is not an *ipsissimis*

*verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 ( Fed. Cir. 1990).

Applicant respectfully submits that the Office Action has failed to establish the required *prima facie* case of anticipation because the cited reference, Birleson, fails to teach or suggest each and every feature as set forth in the claimed invention.

Applicant respectfully submits that independent claim 1 is allowable over Birleson for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claim 1 under 35 U.S.C. §102(e) is respectfully solicited.

Applicants also respectfully submit that Numanami fails to make up for the deficiencies found in Birleson.

For at least the reasons noted above, applicant respectfully submits that the claimed invention, as set forth in at least claim 4, is distinguishable from the combination of Birleson and Numanami. The Examiner concedes that Birleson fails to teach or suggest a dual type MOSFET amplifying circuit, as set forth in claim 4. However, in an attempt to show this feature, the Examiner imports Numanami.

Specifically, the examiner alleges that Numanami discloses a high frequency amplifier that includes a dual type MOSFET (7). (see Numanami, Fig. 1). However, applicant submits that in contrast

with the present invention, Numanami's dual type MOSFET is for high frequency applications, whereas in the present invention, the dual type MOSFET is used for intermediate frequencies.

For at least the reasons noted above, applicant respectfully submits that the claimed invention, as set forth in claim 4, is distinguishable from the combination of Birleson and Numanami.

Furthermore, applicant respectfully submits that neither Birleson nor Numanami, taken singularly or in combination, (assuming these teachings may be combined, which applicant do not admit) teach or suggest the features as noted above.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant respectfully submits that not only does the references cited fail to teach or suggest each and every feature as

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set forth in the claimed invention, but that one of ordinary skill in the art would not have been motivated to combine/modify the teachings of Birleson and Numanami because there is no teaching or suggestion in any of the references regarding how or why one would modify such systems to arrive at the claimed invention.

Applicant respectfully submits that dependent claim 4 is allowable over the combination of Birleson and Numanami for at least the reasons noted above.

Accordingly, withdrawal of the rejection of claim 4 under 35 U.S.C. §103(a) is respectfully requested.

#### Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.


Respectfully submitted,

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Attachment(s): One (1) replacement drawing sheet, Fig. 3

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**AMENDMENTS TO THE DRAWINGS**

Attached hereto is one (1) replacement sheet of a corrected formal drawing that complies with the provisions of 37 C.F.R. § 1.84. This replacement sheet, which depicts Figure 3, replaces the original sheet depicting Figure 3.